

June 28, 2012 City Council Hearing
NPA-2012-0035.01

Meredith, Maureen

From: Frank Bryan
Sent: Friday, June 22, 2012 4:27 PM
To: Meredith, Maureen
Subject: NPA-2012-0025.01 - 4806 ½ Trail West Drive

Dear Ms. Meredith:

I submit that the above-referenced proposed neighborhood plan amendment does not comply with the City of Austin Land Development Code (LDC) in the following ways:

1. The Applicant, Independent Realty, is not the "record owner" or "record owner's agent" and, therefore, is not authorized under LDC 25-1-81 to file an application to amend a neighborhood plan or to rezone property. The letter from AISD to Mr. Greg Guernsey (City of Austin, Planning and Development Review), dated February 2, 2012, (p. 19, backup materials) does not authorize Independent Realty to act as AISD's agent. The letter merely states that AISD is "aware of" Independent Realty's actions and "has no objection" to such. Nowhere in this letter is there a grant of authority from AISD to Independent Realty to do anything.
2. The Planning Commission has not held a public hearing on Independent Realty's current proposed neighborhood plan amendment—as required by LDC 25-1-806. The Planning Commission hearing held on May 22, 2012, voted on an entirely different proposed neighborhood plan amendment than the one that is now before the City Council. The amendment voted on by the Planning Commission consisted of a change from "Civic" to "Single Family" for the entire 12.45 acre tract. The proposed amendment before the City Council divides the tract into a donut shaped area with the donut hole area being changed from "Civic" to "Single Family" and the donut area being changed from "Civic" to "Open Space/Recreation".
3. None of the notices sent by the City of Austin to residents living within 500 feet of the property provided any notice, under LDC 25-1-32 or 25-1-33, that the proposed amendment to the neighborhood plan included a change from "Civic" to "Open Space/Recreation". All of the prior notices were limited to notice that the neighborhood plan would be changed from "Civic" to "Single Family". Therefore, the prior notices were deficient to notify residents of the proposed change that will be submitted to City Council on June 28, 2012.
4. The "pre-application meeting" between Independent Realty and city staff (see LDC 25-1-804), if any, could not have satisfied LDC 25-1-804 because Independent Realty's proposed FLUM change, at that time, included different boundaries, different FLUM categories, and different proposed uses, than the current proposal pending before City Council.

Please let me know the City's position with respect to its compliance with the LDC sections referenced above.

Regards,

Frank W. Bryan, Jr.

Frank W. Bryan, Jr.
Law Office of Frank Bryan
610 Brazos Street, Suite 660
Austin, Texas 78701
Office: (512) 322-9977
Cell: (512) 626-9808
Fax: (512) 692-2793

The content of this e-mail, including attachments, is privileged and confidential.

Meredith, Maureen

From: Dalmara Bayne
Sent: Friday, June 22, 2012 11:22 AM
To: "To: clark.patterson"@austintexas.gov; Meredith, Maureen; Cbwidaho; Kirsti Harms
Subject: SUBJECT: Backup for NPA-2012-0025.01/ C14-2012-0016
Attachments: dalmara_bayne.vcf

This property is a living example of Texas ecological and historical heritage; i.e. a type of grassland-primarily Savannah. Having these types of properties in urban settings is critical to educating both children and the community at large through: 1) Living examples of Texas Heritage-less than 1% of the original 20million acres in Texas remains today 2) Public education about the relevance of these habitats to many issues facing Texas today; grasslands increase water quality and quantity-by filtration and retention and due to their deep root systems are drought resistant and mitigate for both fire and flooding which often follow droughts. They provide critical habitat for many threatened species-grassland birds are listed as the number one suite of threatened birds by the OPJV (USFWS) and this habitat is also given top priority by TPWD Action Plan-pollinators critical to sustainable land economics and numerous other species make this habitat their home; including the horned lizard. This property is also a living example of the ecological systems underpinning sustainable land practices.

It is, however, generally not feasible to acquire these important examples of Texas History due to the high cost of property in urban areas. But the residents of this community have raised a significant amount of money to help preserve this important space. And both NPAT and the community being sympathetic to AISD's economic problems have presented numerous scenarios where other benefits (including funds) could be brought to bear. Further, I understand that this is a difficult time for many, but many would also agree that practicing short term non sustainable thinking and actions will not only not solve our collective problems, but is also what helped to create our current dilemmas.

This is not an issue of preservation vs. development, but rather weighing all of the benefits on either side of the equation and making a decision that reflects not only sustainable economics, but also the merits of quality of life. Issues, which I am sure Council Members know, are of great concern to all Austin residents/neighborhoods. Once you weigh the facts, I think it will become evident that any tax revenues provided by such a small development will: 1) negatively affect the value of other properties in the neighborhood (the value of properties in subdivisions with this type of open space exceed appreciation experienced by neighborhoods without 2) create significant public costs in terms of services 2) reduce the quality of life 3) adversely affect water quality/resources 4) diminish habitat of threatened species 5) Destroy a unique cost effective educational opportunity (this property is close to several schools-i.e. workable field trips). Therefore, I strongly and respectfully urge you to seek a solution that will serve Austin's present and future needs; demonstrating a model that serves everyone's best interests.

Respectfully yours,

Dalmara Bayne, ED, NPAT

Meredith, Maureen

From: Anthony Peterman
Sent: Monday, June 25, 2012 1:01 PM
To: Leffingwell, Lee; Cole, Sheryl; Spelman, William; Martinez, Mike [Council Member]; Riley, Chris; Tovo, Kathie; Morrison, Laura
Cc: Williams, Nancy; Anderson, Greg; Moore, Andrew; Bojo, Leah; Gerbracht, Heidi; Levinski, Robert; Harden, Joi; Halley, Shannon; Patterson, Clark; Meredith, Maureen; 'Bill Sigler'; 'TCCSA Board'; tclp@...; trustees@austinsd.org
Subject: Zoning Case #: NPA-2012-0025.01/ C14-2012-0016RE -- Travis Country Home Owners Association Opposed to Proposed Zoning Change to the AISD Property in Travis Country

Dear Mayor and Members of City Council,

I am contacting you as President of the Board of the Travis Country home owner's association (TCCSA) regarding the above zoning matter that will be on the agenda for your June 28 Council meeting. Thank you again for your service to Austin and your time and attention to this matter. It is an emotional and by its nature polarizing issue for our Travis Country community. To the extent any of you or your staff is available, I would be happy to talk with you. Please contact me via email.

I want to address two things in this email. First, I want to communicate the position of the TCCSA Board in motions approved unanimously at our June 21 Board meeting last week, with one Board member absent. We ask that you consider this and vote at your June 28 meeting consistent with these TCCSA motions:

(a) Motion: In connection with the proposed re-zoning of the AISD property requested by Independent Realty, the TCCSA Board of Directors is opposed to any zoning change.

(b) Motion: The TCCSA Board of Directors supports the City of Austin City Council allowing the use of transfer of impervious cover for any future bid on the AISD tract.

Second, I want to clarify four issues and eliminate uncertainty there may be about them:

(a) There has been ongoing communication between the TCCSA Board and the developer Independent Realty (IR):

- There have been months of communication (brief timeline below). To the extent there is a disconnect, it is the content of information.
- The disconnect with content is exemplified by looking to the example of the #1 request for information by the TCCSA Board.
- Request #1 was for: "A conceptual lot layout (number, size and location of lots, WQ/detention facilities, and open space)." For reference, the whole requested list #1-7 is below in my June 4 email to you.
- It was and is the TCCSA Board's view that a lot layout is foundational to a full understanding of IR's proposed development project. TCCSA Board needs to see specifics as opposed to ideas and aspirations that could change.
- IR's response was and remains that it will not provide a lot layout -- none will be available until after zoning is completed and development underway.
- At the June 7 Council meeting, the TCCSA Board was completely surprised to see the "helipad" zoning format for the first time.

- Although the new format had been shared and revised for weeks with City staff, the TCCSA Board had not seen it until Council meeting.
- After the meeting, the TCCSA Board repeated its request for a lot layout. The "helipad" surprise underscored the need for specifics.
- IR repeated that a lot layout would not be available and provided only a copy of the "helipad" zoning format from the Council meeting.
- The content of information has remained the same since then.
- Brief Timeline:
 - January 29 -- presentation by IR to the TCCSA Board and community as part of the agenda of the January Board meeting.
 - February 29 -- Board approved and organized community meeting with IR at the Travis Country community pavilion.
 - March 6, 12, 13 -- Board requested #1-7 information needed for full consideration, and IR responded with some information and made clear the rest would remain unanswered until after zoning.
 - April 11 -- Travis Country annual home owner's meeting with open forum for comments -- opportunity for this topic during comments, but no mention of it was made.
 - May, June -- Email communications among the TCCSA Board and IR about the requests. As of June 6, Board still requesting information, and IR still answering some and leaving others unanswered.
 - June 7 -- Issue on City Council agenda. First time TCCSA Board has seen the very different "helipad" zoning format from IR.
 - June 7 to date -- Board repeats request and IR repeats response, except for forwarding the new "helipad" zoning request.
 - June 21 -- Board votes on and approves above motions at June Board meeting based on available information.

(b) The TCCSA Board is allowed to spend money to purchase land or rights in land based on an approved Board motion:

- TCCSA purchased 10 acres at the front of the community a number of years ago for about \$145,000 in community funds based on an approved Board motion.
- TCCSA purchase about 3 acres in a transaction that closed April 19, 2012, for about \$7600 based on an approved Board motion.
- TCCSA has received confirmation from its outside legal counsel that purchasing land and rights in land like a conservation easement based on an approved Board motion is within the Board's authority.
- The TCCSA Board voted last Fall to spend up to \$145,000 to support a Native Prairies (NPAT) bid to purchase a conservation easement on the AISD land at issue. That bid was submitted in November 2011 and was not selected by AISD.
- The NPAT bid provided value to AISD in the form of: (a) about \$240,000 cash, and (b) retained value for TDR's (assuming Council action to allow that). The second part we estimated at \$1.3 million of value based on comparison to AISD's actual land cost of \$230,000 in 2007 buying rights needed to expand Kiker elementary. To make it more concrete, we had outside counsel prepare and provided to AISD a draft amendment to the land development standards agreement.

(c) TCCSA could fund \$145,000 without impacting the community's financial stability:

- The TCCSA Board received a Treasurer's report as a standard agenda item at last week's June 21 meeting.
- TCCSA currently has over \$700,000 cash in bank and money market accounts. After fully paying for a recent pool renovation/repair, TCCSA will still have more than \$650,000.
- TCCSA's income from home owner's dues exceeds its operating budget by about \$100,000 per year. That excess is reserved and allocated to capital items like facilities and land.
- If TCCSA were to immediately fund \$145,000 to purchase a conservation easement, it would still have more than \$500,000 in cash.
- TCCSA has a formal reserve study that outlines expected capital costs and reserve levels needed for the community. That study is used to inform our decisions as to reserves and capital spending.
- A current reserve of \$500,000 together with income \$100,000 greater than operating budget would still place TCCSA in a more than acceptable position with regard to its reserve study.
- For example, even if TCCSA were to need to spend \$250,000 on a facility like its Blue Valley pool, that amount could be paid and replenished in two and a half years or the project delayed and paid in full after that same time.

(c) The TCCSA community balance of opinion is weighted towards opposing any zoning change:

- The TCCSA Board has received many communications over the months of this issue dating back a couple of years.
- The community is divided with some having very strong opinions on both sides of the issue.
- Based on communications received, that the balance of opinion is weighted towards opposing any zoning change and towards preservation. It is very heavily weighted that way among the residents living closest to the AISD land.

Regards,

Anthony Peterman
Board President
Travis Country Community Service Association

From: Anthony Peterman [mailto:apeterman@tccsa.net]
Sent: Monday, June 04, 2012 11:42 AM
To: 'Lee.Leffingwell@austintexas.gov'; 'Sheryl.Cole@austintexas.gov'; 'Bill.Spelman@austintexas.gov'; 'Mike.Martinez@austintexas.gov'; 'Chris.Riley@austintexas.gov'; 'Kathie.Tovo@austintexas.gov'; 'Laura.Morrison@austintexas.gov'
Cc: 'Bill Sigler'; 'TCCSA Board'; 'tclp@tccsa.net'
Subject: Opposed to Proposed Zoning Change to the AISD Property in Travis Country

Dear Mayor and Members of City Council,

First, I want to thank you for your service to Austin and for the complex and difficult work you do on Council.

Second, I am the current President of the board of the Travis Country home owner's association, and I wanted briefly to clarify the situation around the AISD land in the center of Travis Country for which a rezoning vote is coming before Council.

The Travis Country community has been and remains very interested in the process and the future of the AISD land. During the AISD bid process, the community did not oppose from the sidelines, but instead joined a bid with the Native Prairies Association of Texas ("NPAT") with significant funds pledged and matching funds approved by the board of the Travis Country. That bid totaled almost \$250,000. However, it was not accepted by AISD at least partly due to the bid involving the idea of retaining value for AISD in the form of future development offsets -- such use, although consistent with precedent, first needs Council action to be allowed. Although it was not selected, the bid shows a level of commitment in the Travis Country community to participate in a thoughtful alternative to development.

With regard to the selected bid from Independent Realty, the Travis Country board in March requested detailed information (outlined below) from the potential developer in order to be fully informed. Having not received that information, our board voted to defer any action or consideration on the zoning request and any related zoning conditional overlays or private agreements. The Travis Country board also voted to submit a petition stating that it was thus opposed to the requested re-zoning application. The situation has remained in that state since.

For reference, the information requested:

1. A conceptual lot layout (number, size and location of lots, WQ/detention facilities, and open space);
2. Topographic and tree surveys;
3. Environmental assessments and/ or engineering reports (we understand there may be Water Quality Transition Zones and Critical Environmental Features that impair development);
4. Impervious cover calculations for both water quality and zoning (including net site area, assumptions for each lot, and impervious cover for adjacent roadways);
5. The proposed height and size of the homes, impervious cover on each lot, and setbacks on each lot;
6. The terms of any proposed use of TCCSA community facilities;
7. Reasonably demonstrate ability to comply with applicable City of Austin regulations.

Regards,

Anthony Peterman
Board President
Travis Country Community Service Association

Meredith, Maureen

From: PatE3
Sent: Monday, June 25, 2012 6:30 PM
To: Leffingwell, Lee; Cole, Sheryl; Riley, Chris; Martinez, Mike [Council Member]; Tovo, Kathie; Morrison, Laura; Spelman, William; Williams, Nancy; Anderson, Greg; Moore, Andrew; Bojo, Leah; Gerbracht, Heidi; Levinski, Robert; Harden, Joi; Halley, Shannon
Cc: Patterson, Clark; Meredith, Maureen
Subject: NPA-2012-0025.01/ C14-2012-0016: Property in Travis Country
Attachments: PEpstein_Letter2Council_Attachments.pdf

Dear Mayor Leffingwell & City Council Members:

My name is Pat Epstein, and I am a member of the Travis Country HOA Board of Directors. It has come to our attention that you may have received information about our HOA that is incorrect. This email is intended to clarify any misinformation you might have received.

1. The Travis Country Community Service Association (TCCSA or HOA) Board voted 6/0/0, "To match dollar for dollar contributions up to \$145,000 to NPAT [Native Prairies Association of Texas] for a bid to purchase a conservation easement on the AISD lot." The total amount of individual pledges plus the HOA's match was over a quarter of a million dollars, all of which was raised in 4 weeks.
2. TCCSA is a financially stable, solvent organization and fully capable of matching pledges to the Native Prairies Association while easily meeting its ongoing obligations. Please see the attached balance sheet dated 5/31/2012 showing that TCCSA has total assets of \$738,239.31.
3. Both precedent (prior land purchases within the neighborhood) and legal opinion support the ability and legality of TCCSA matching pledges to the Native Prairies Association. See attached letter from HOA attorney Greg Cagle.
4. A broad and diverse group of Travis Country homeowners support conservation of the property, including people who live far away, and an overwhelming majority of those living near the property. Of the residents who have taken the time to email the HOA Board regarding this issue, a sizeable majority has urged the Board to support conservation of the property.
5. 325 homeowners pledged to the Native Prairies Association conservation campaign, and hundreds more have participated in the conservation effort. See the attached list and letters that reflect continuing support for conservation of this property, in addition to the scores of homeowners who attended the City Council meeting on June 7.
6. The elected Board has consistently voted, either unanimously or 8-1, to support conservation and the homeowners who live within 200 feet of the property. Independent Realty's comments that there is a second HOA which supports his bid is false. There is only one HOA and one duly elected HOA Board of Directors.
7. Homeowners who support conservation have regularly and actively participated in HOA meetings and public hearings for over two years. They have regularly reported their activities to the TCCSA Board and the neighborhood at large (via email, our HOA newsletter, and hand delivered flyers). They have consistently answered questions and provided information to the TCCSA Board when asked to do so, as has the Native Prairies Association of Texas.
8. The TCCSA Board invited Independent Realty to speak at an HOA Board meeting, made HOA owned facilities available so he could hold a public forum in the neighborhood, and his neighborhood advocates have published material in the HOA newsletter on more than one occasion.
9. TCCSA's Board submitted multiple written requests for information Independent Realty. To date, the Board has not received the information requested.

10. Independent Realty did not notify the Board prior to making major changes in his zoning application, and to date has not offered details about their changed plan. Furthermore, IR has not been forthcoming about the project details that the Board would expect and require from any other bidder under the same circumstances. Independent Realty has had ample opportunity to work with the HOA and make his case to the Board and homeowners; he has failed to do either. His contention that the TCCSA Board has refused to communicate with him is simply not accurate. (See the timeline in the email from HOA Board President dated 6/26/2012.)

At our June 21, 2012, Board of Directors meeting, the Board voted 8-0 to support conservation of this property. We also voted 8-0 to support any efforts made by the City of Austin and AISD to find a way to create a win-win-win for the City, AISD, and the residents who live in our neighborhood and who we, as an HOA, represent. If you have any questions, please feel free to contact me at 512.906.1737 or

Thank you,

Pat Epstein
Travis Country HOA Board of Directors
Former School Board Trustee, Richardson ISD

4813 Trail Crest Circle
Austin, TX 78735
512.906.1737 (Home)
972.849.5001 (Cell)
PatE3

Balance Sheet (Cash)
Travis Country CSA, Inc. - (TRC)
May 2012

Page 1
5/31/2012
03:12 AM

Prepared For:
Travis Country CSA, Inc.
4504 Travis Country Circle
Austin, TX 78735

Prepared By:
Goodwin Management Inc
11149 Research Blvd, Suite 100
Austin, TX 78759-5227

ASSETS

CASH

Cash- Checking Acct	8,598.71
Cash - MMA	54,509.34
Cash - Association Capital Res	179,794.50
Cash - Commerce National MMA	248,859.70
Cash - BB&T MMA	245,727.06
TOTAL CASH	737,489.31

OTHER ASSETS

Prepaid FIT-Form 1120	750.00
TOTAL OTHER ASSETS	750.00

TOTAL ASSETS

738,239.31

LIABILITIES & EQUITY

LIABILITIES

EQUITY

Fund Change-Current Year	-24,314.39
Fund Change-2002	-34,265.00
Fund Change-2003	-25,555.39
Fund Change-2004	31,193.55
Fund Change-2005	-15,439.96
Fund Change-2006	-20,444.62
Fund Change-2007	89,254.20
Fund Change-2008	-35,269.11
Fund Change-2009	74,675.19
Fund Change-2010	60,364.80
Fund Change-2011	132,663.01
Fund Balance	446,912.45
Difference on Brokerage Acct	3,026.78
Tran From Prior Mgmt	55,437.80
TOTAL FUND BALANCE	738,239.31

TOTAL LIABILITIES & EQUITY

738,239.31

From: [anthony_peterman](#)

To:
CC:

Sent: 6/4/2012 11:34:25 A.M. Central Daylight Time

Mark Carroll's email correctly points out the provisions of the Association's Articles of Incorporation that concern the powers of the Association. As also pointed out, such provisions expressly require the approval of members in order for the Association to pledge personal or real property as collateral for a loan or to merge the Association with another nonprofit corporation, but omit any reference to requisite membership approval as a condition to the exercise of any of the other powers vested in the Association. I interpret Frank's last email to inquiry as to whether the Board may exercise a power generically vested in the Association under its Articles of Incorporation or whether it takes membership approval to exercise such power because it vests the power in the "Association" but does not expressly vest such power in the "Board of Directors."

The short answer is that **the Board of Directors may unilaterally exercise the powers vested in Association unless such powers are expressly reserved to the membership or expressly requires the consent or approval of the membership.** Section 7.01(c) of the Association's bylaws states that **"the Board of Directors shall have a power to: . . . (c) exercise for the Association all powers, duties and authority vested in or delegated to this Association and not reserved to the membership by other provisions of these By-Laws, the Articles of Incorporation, or the Declaration."** **This is consistent with nonprofit corporations that managed by a Board of Directors, as opposed to its membership.**

I hope this resolves the issues. Please let me know if I can be of additional service.

Gregory S. Cagle
Savrick Schumann Johnson McGarr
Kaminski & Shirley, L.L.P.

DATE: July 6, 2011

TO: AISD Board of Trustees
President Mark Williams, Vice President Vincent Torres, Secretary Lori Moya,
Cheryl Bradley-Dist.1, Sam Guzman-Dist. 2, Christine Brister-Dist. 3,
Robert Schneider-Dist. 7, Annette LoVoi-Dist.8, Tamala Barksdale-Dist. 9

RE: 12.45 acres at 4806 Trail West Drive in Travis Country

Dear Trustees,

It has come to our attention that Waterloo Development withdrew its bid on the 12.45 acre tract in Travis Country. This creates an opportunity to discuss the future of this land. One possibility could include the purchase of the property by the Native Prairies Association of Texas (NPAT) while allowing AISD to retain impervious cover/development offsets that could be used when AISD constructs another facility in Southwest Austin.

Even with the land under contract with Waterloo Development, more than \$50,000 dollars were pledged to NPAT to purchase and preserve the tract, and we are optimistic that now that the bid has been withdrawn, the pledge drive will raise the necessary funds given a reasonable amount of time. We ask that AISD refrain from putting the property up for bid.

We are mindful of AISD's financial needs and believe that those may be met while preserving this land in the Edwards Aquifer Recharge Zone and Barton Springs Watershed. We look forward to your participation in our effort to prevent the negative environmental impact that would result from development on this environmentally sensitive land which is currently a pristine example of a native savannah in our urban core. We thank the AISD Board for acknowledging so many of Travis Country's public and individual communications regarding preservation of this land.

The Board of Directors of the Travis Country Community Service Association (TCCSA) fully supports the effort to preserve this property. We look forward to working together to create a mutually beneficial outcome for AISD, our community and Austin's watershed.

Sincerely,

Frank Bryan, Travis Country Homeowner

Dalmara Bayne, Executive Director, NPAT

Travis Country Homeowners: -

Mike Bourland, Trudie Weatherford, Leigh Ziegler, Charlie & Cynthia Wilcox, Maguerite Baca, Susie McClendon, Michael Wellman, Theresa Rutz, Kyle ZumBerge, Gerald & Kim Benard, Marion Mlotok, Pat and Randy McLerran, Greg and Katie Bourgeois, Vanessa Chiapetta MD, Isaac Bersuker, Betty Mading, Rita Williams, Tom Hokanson, Heather Andrus, Nancy Daley, Rebecca Pratt, Donna Parks, Joy M. Schiller, Debbie & Laren Schiller, Ron & Kathryn Buys, Sasan & Ric Askari, Virginia M. Lewis, James D. Sirockman, Tom Hammond, Rollin & Debbie Breed, Bryant & Nancy Jewell, Larry & Linda Farrow, Larry & Beth West, Julie Goodrich, Ken & Katy Domuczicz, Matthew & Mary McDermott, Larry & Beth West, Robert & Nancy Leos, Clarence N. & Lisa W. Sutton, Johnny M. Gross, Jerry L. Fischer, Jerry & Meredith Galvan, Paula Bacon, Russell & Margot Pinkston, Margot Booth, Mark & Pat Epstein

cc: Anthony Peterman, President, TCCSA
Trudie Weatherford, Chairman, TC Land Preservation Committee

DATE: October 13, 2011

TO: AISD Board of Trustees
Dr. Meria Carstarphen, Superintendent of the Austin Independent School District

RE: Support for the Native Prairies Association of Texas (NPAT) Bid to Purchase the 12.45 Acres Located at 4806 Trail West Drive in Travis Country

Dear Trustees and Dr. Carstarphen,

Those of us signing this letter are representative of the vast majority of residents throughout Travis Country who would like to see the land currently owned by the Austin Independent School District (AISD) deep in the heart of our neighborhood remain a natural greenspace in perpetuity. To achieve this goal, we urge you to accept the bid proffered by the Native Prairies Association of Texas (NPAT).

The NPAT bid is the only opportunity not only to preserve this natural site for future generations -- it is the only opportunity to create a *win-win-win* outcome for our neighborhood, the environment, and AISD.

A win for Travis Country: The land will remain in its natural state for use by residents as it has been for the last 40+ years, e.g., leisurely strolls along its many trails, gathering with neighbors to launch our 4th of July Parade and other activities, etc. The safety and well-being of our residents will be protected from multiple years of development deep in the heart of our neighborhood. Travis Country residents, particularly our children, will not be exposed to either toxic development or permanent toxic retention ponds (required for development over the Aquifer) in the middle of a residential neighborhood.

A win for the environment: This land lies in the Edward's Aquifer recharge zone, the Barton Creek and Barton Springs watersheds, includes possible karsts, and provides natural filtration for Austin's water quality. It is home to multiple heritage oaks, wildlife, and native grasses. There are precious few of such parcels left in the interior of Austin; as stewards, it is imperative that we work together to ensure the health and well-being of those living here today and future generations.

A win for AISD: NPAT's bid is \$20,000+ per acre for the conservation easement only, which exceeds the \$19,000 per acre spent by the City of Austin to purchase the land and conservation easement on the Spillar Ranch tract in the Edwards Aquifer recharge zone (<http://tinyurl.com/3thn5tt>). Furthermore, the NPAT bid allows AISD to retain potential future use of the land for development offset, e.g., to assist in the construction of a new high school for South Austin or for expansion of existing facilities that have reached their impervious cover limit. The offset would allow AISD to reduce the amount of new land

needed and significantly reduce future land purchase expenses. This makes the fully combined value of the NPAT bid greater than the other bids submitted.

Prior to the collapse of the first bidding process, more than \$50,000 had been pledged to NPAT to purchase the tract in the event that process did fall through. Within three weeks of the second bid process being initiated, almost \$254,000 were pledged from our neighborhood, including from the Travis Country HOA.

Rather than inundate you with 100 letters, we chose to show our solidarity with one letter. Our neighborhood is united behind the initiative to preserve this environmentally sensitive land in its natural state. We implore you to accept the NPAT bid and create a *win-win-win* for everyone involved.

Thank you,

Residents of Travis Country

Gladys Almaguer	Katherine Dorsett	Dave Krieger	Tim Scanlon
Chris Armstrong	Thomas Dorsett	Barton Lane	Laura Schickel
Alan Assberg	Dan Felps	Dennis L. Lanning	Debbie Schiller
Laura Assberg	Mark Epstein	Debbie Lauderdale	Donna Schilller
Margarite Baca	Pat Epstein	Robert H. Leos, Ph.D.	Joy Schiller
Thomas W. Baca	Jerry Fischer	Nancy Leos	Kelly Schiller
Paula Bacon	Marilyn Fischer	Pam Losefsky	Laren Schiller
Larry Baird	Dan Flannery	Ron Losefsky	James Sirockman
Susan Battle	Jill Flannery	Gary Lopes	Dana Stripling
Linda Bell	Meredith Galvan	B. J. Mading	David Sundstrom
Sonia Berry	Jerry Galvan	Katherine Mahoney	Donna Sundstrom
Steve Berry	Lisa Geiger	Emily Matthews	Clarence Sutton
Vicky Bledsoe	Candy Goodrich	Gabriella Matthews	Lisa Sutton
Mike Bourland	John Goodrich	Erin Matwey	Cactus Tanner
Debbie Breed	Jeff Greilich	Susan McClendon	Gina Tanner
Rollin Breed	John Hall	Pat McLerran	Rufus Tanner
Frank W. Bryan, Jr.	Peggy Hall	Randy McLerran	Charles Vickers
Kate Burgess	Tom Hokanson	Melanie Miller	James Wangermann
Ed Burgess	Joan Hokanson	Jeff Miller	Trudie Weatherford
Richard Burnight	Erika Hook	Marion Mlotok	Christine Welch
Ronald E. Buys	Jason Hook	Karen Monteith	Cathryn Wellman
Richard Cain	Patricia Ilgenstein	Bill Morton	Michael Wellman
David Carruthers	Temple B. Ingram, Jr.	Deborah Morton	Beth West
Don Casteter	Barbara Jansen	Donna Parks	Larry West
Susan Casteter	Brooks Perkins-Jechow	George Parks	Charlie Wilcox
Dr. Vanessa Chiapetta	Bryce Perkins-Jechow	Deena Perkins	Cynthia Wilcox
Thomas Clarkson	Bryant Jewell	Perry Phillips	Sherri Williams
Christina Comer	Nancy Jewell	Sue Phillips	Gary Williams
Lee Crawford	Dennis Jistel	Rebecca Gene Pratt	Laura Wooley
Steven Crosley	Kelsey Jistel	Angeline Pruitt	Ryan Wooley
Jack Crump	Susan Jistel	Nancy Quesada	Diane Wright
Janice DeMartino	Brad Johnson	Sarah Reves	Leigh P. Ziegler
Katy Domuczicz	Thanet Johnson	Julius Rivera	The Zierer Family
Ken Domuczicz	Billie Jean Jones	Linda Rivera	Kyle Zumberge
Amy Donaldson	Suzy Juncker	Wayne Roberson	Robin Zumberge
Ella Dorsett	Cammi Klier	Theresa Rutz	
Elizabeth Dorsett	John Klier	Carol Scanlon	

From: Anthony Peterman [mailto:apeterman@traviscountytx.gov]
Sent: Wednesday, October 12, 2011 11:14 PM
To: trustees@austinisd.org; superintendent@austinisd.org
Cc: pturner@austinisd.org; mwaxler@austinisd.org; board@traviscountytx.gov
Subject: AISD Lot in Travis Country

Dear Trustees & Superintendent Carstarphen:

I am contacting you regarding the sale of the property at 4806 Trail West Drive. On behalf of the community, we look forward to a positive outcome for AISD, the environment, Austin's watershed, and our Travis Country neighborhood as a result of the sale.

After reviewing the bids that were submitted, we wanted to echo what we have said in Travis Country's past communications supporting preservation of this sensitive green space & watershed and opposing any development on the land. We also wanted to clarify that Travis Country's board has not met or worked with the recently formed LLC Independent Realty, or Universal Gas Utilities LLC, based out of apartment #1931 at 8515 Brodie Lane.

Consistent with our perspective, there is widespread support in Travis Country for the Native Prairies Association's proposal to preserve the land in perpetuity. At our August Board meeting, the Travis Country Board voted unanimously to match pledges to the Native Prairies Association effort. We feel the bid is a great win-win path forward for this property that contains many heritage oaks, lies in the Edwards Aquifer recharge zone, lies in the Barton Creek and Barton Springs watersheds, has possible karsts and provides natural filtration for Austin's water quality.

When evaluating it, we hope you will consider the full combined value of the Native Prairies Association's bid – the cash amount coupled with the retained development offset rights and benefit to Austin's water quality. The Native Prairies Association's bid is over \$20,000 per acre for the conservation easement only. This exceeds the \$19,000 per acre the City of Austin recently spent to purchase the land and the conservation easement on the Spillar Ranch tract in the Edwards Aquifer recharge zone (<http://tinyurl.com/3thn5tt>). And, the bid retains for AISD potential future use of the land for development offset, for example to assist in the construction of a new high school planned for South Austin. That offset would allow AISD to reduce the amount of new land needed and significantly reduce the cost of land purchase expenses. We believe the full combined value of the bid is quite competitive with or exceeding other bids submitted.

Regards,

Board of Directors of the Travis Country Community Service Association

Mark Carroll
Kay Colvin
Tom Curran

John McCulloch
Anthony Peterman
Wendy Primeaux

Leonard Saenz
Paul Salazar
George Stokes

DATE: November 10, 2011

TO: AISD Board of Trustees
Dr. Meria Carstarphen, Superintendent of the Austin
Independent School District

RE: Support for the Native Prairies Association of Texas (NPAT)
Bid to Purchase the 12.45 Acres Located at 4806 Trail West Drive
in Travis Country

Dear Trustees and Dr. Carstarphen,

This document includes multiple pictures of the land about which Travis Country residents have been emailing, calling, and writing you about for the past one-and-a-half years. We wanted to personalize it for you -- for you to see it in its still natural and undeveloped state. For almost 40 years, this land has rested peacefully in the heart of our neighborhood. We would like to see it do so for at least another 40 years.

We know this land is a bit of an abstraction for the Trustees and AISD professionals. But for us, it's a reality... one onto which we step from our front and back doors - one we cherish daily and have treasured and cared for like it is our own.

We know AISD is the rightful owners of this land. We know AISD has the right to sell it to whomever they choose. But we ask that you think in terms of the long term, for us but also for AISD. By accepting the Native Prairies Association of Texas bid, AISD makes the statement that:

- You value people and neighborhoods over developers;
- You aren't afraid to think creatively;
- You care about Austin's neighborhoods and the people who live in them day in, day out;
- You recognize Travis Country's historic, longstanding support for all AISD initiatives, including much needed tax revenue increases and bonds;
- You are aware of Travis Country residents' historically strong volunteerism in our neighborhood schools;
- You are good stewards of the taxpayers investment, i.e., you will maximize bond dollars by using a development offset to make the construction of new school(s), efficiently using the smallest land purchase possible;
- You are good stewards of sensitive habitat;
- You care about the Austin's environment and the watershed now and in the future;
- You choose not to pollute Barton Creek and Barton Springs with runoff from new development just uphill of Barton Creek;
- You choose not to disturb the unique, irreplaceable endangered cave and karst species habitat that is only in this tiny area of Central Texas that this property resides in; and
- You truly want to be partners with the neighborhoods that comprise AISD.

Please take the time to review the materials included in this packet. We, the residents of Travis Country, are pleading with you to accept the NPAT bid. Travis Country isn't just a collection of homes; there are over 4,000 people living here, many of whom sit in AISD classrooms or work and volunteer in AISD schools. The security of our neighborhood, and the preservation of this environmentally sensitive land rest with you and the decision you make. Preserving this land isn't just the "Austin Way," it's the right thing and the financially prudent thing to do for the long term.

THANK YOU FROM JUST A FEW CONCERNED TRAVIS COUNTRY RESIDENTS.



*Just one of the many heritage oaks
located on the property.*

Gladys Almaguer
Chris Armstrong
Rie Askari
Sasan Askari
Alan Assberg
Laura Assberg
Marguarite Baca
Thomas W. Baca
Paula Bacon
Larry Baird
Susan Battle
Linda Bell
Sonia Berry
Steve Berry
Dr. Isaac B. Bersuker
Vicky Bledsoe
Margot Booth
Mike Bourland
Debbie Breed
Rollin Breed
Frank W. Bryan, Jr.
Kate Burgess
Ed Burgess
Richard Burnight
Ronald E. Buys
Richard Cain
David Carruthers
Jon Casteter
Susan Casteter
Dr. Vanessa Chiapetta
Thomas Clarkson
Ken Colvin
Christina Comer
Lee Crawford
Steven Crosley
Jack Crump
Janice DeMartino
Craig Doerksen
Dana Doerksen
Katy Domuciez
Ken Domuciez
Amy Donaldson
Bryan Donaldson
Ella Dorsett
Elizabeth Dorsett

Katherine Dorsett
Thomas Dorsett
Dan Felps
Mark Epstein
Pat Epstein
Jerry Fischer
Marilyn Fischer
Dan Flannery
Jill Flannery
Meredith Galvan
Jerry Galvan
Lisa Geiger
Candy Goodrich
John Goodrich
Jeff Greilich
John Hall
Peggy Hall
Tom Hammond
Allison Hartman
Scott Hartman
Linda Hodges
Tom Hokanson
Joan Hokanson
Erika Hook
Jason Hook
Terry Horton
Patricia Ilgenstein
Temple B. Ingram, Jr.
Barbara Jansen
Lynn Kurth
Paul Kurth
Brooks Perkins-Jechow
Bryce Perkins-Jechow
Bryant Jewell
Nancy Jewell
Dennis Jistel
Kelsey Jistel
Susan Jistel
Brad Johnson
Thanet Johnson
Billie Jean Jones
Suzy Juncker
Cammi Klier
John Klier
Dave Krieger

Barton Lane
Dennis L. Lanning
Debbie Lauderdale
Robert H. Leos, Ph.D.
Nancy Leos
Pam Losefsky
Ron Losefsky
Gary Lopes
B. J. Mading
Katherine Mahoney
Heather Mapes
Emily Matthews
Gabriella Matthews
Erin Matwey
Susan McClendon
Mary Lewis-McDermott
Matthew McDermott
Pat McLerran
Randy McLerran
Melanie Miller
Jeff Miller
Marion Mlotok
Karen Monteith
Bill Morton
Deborah Morton
Roger Noack
Janet Ngo, DO
Jane Norwood
Larry Norwood
Donna Parks
George Parks
Deena Perkins
Perry Phillips
Sue Phillips
Russell Pinkston
Rebecca Gene Pratt
Angeline Pruitt
Nancy Quesada
Sarah Reeves
Julius Rivera
Linda Rivera
Wayne Roberson
Theresa Rutz
Carol Scanlon
Tim Scanlon

Laura Schickel
Debbie Schiller
Donna Schilller
Joy Schiller
Kelly Schiller
Laren Schiller
James Sirockman
Janice Smith
Dana Stripling
David Sundstrom
Donna Sundstrom
Clarence Sutton
Lisa Sutton
Cactus Tanner
Gina Tanner
Rufus Tanner
Charles Vickers
Jerry Walker
James Wangermann
Trudie Weatherford
Christine Welch
Cathryn Wellman
Michael Wellman
Beth West
Larry West
Charlie Wilcox
Cynthia Wilcox
Sherri Williams
Gary Williams
Laura Wooley
Ryan Wooley
Diane Wright
Leigh P. Ziegler
The Zierel Family
Kyle Zumberge
Robin Zumberge

*The photo on this page is
of one of the many
meadows and forested
areas on the property.*

☒ I cannot attend City Council on June 7, and I oppose rezoning of the Travis Country property

Antia Morris
Printed Name

Antia Morris
Signature

☒ I cannot attend City Council on June 7, and I oppose rezoning of the Travis Country property

ZEEL HARRIS
Printed Name

Zeel Harris
Signature

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PANKA BACON
Printed Name

P. Bacon
Signature

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MARIO L & JOANNE R. SANCHEZ
Printed Name

Mario Sanchez Joanne R. Sanchez
Signature

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JAMES D SINDOCKMAN
Printed Name

James D. Sindockman
Signature

Watch this video to see WHAT COULD BE, with your help.
<http://tinyurl.com/PrairieVideo>

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MILES & ANNE FAIN

Printed Name

Miles Fain

Signature

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Janice F. Cozart

Printed Name

Janice Cozart

Signature

☒ I cannot attend City Council on June 7, and I oppose rezoning of the Travis Country property

Garrett Martin

Printed Name

Garrett Martin

Signature

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Barbara Martin

Printed Name

Barbara Martin

Signature

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Jack E Crump

Printed Name

Jack E Crump

Signature

☒ I cannot attend City Council on June 7, and I oppose rezoning of the Travis Country property

Amalia Tyler
Printed Name

[Signature]
Signature

☒ I cannot attend City Council on June 7, and I oppose rezoning of the Travis Country property

KIRK GOLINGHORST
Printed Name

[Signature]
Signature

☒ I cannot attend City Council on June 7, and I oppose rezoning of the Travis Country property

Alicia Golinghorst
Printed Name

[Signature]
Signature

☒ I cannot attend City Council on June 7, and I oppose rezoning of the Travis Country property

Christopher Tyler
Printed Name

[Signature]
Signature

☒ I cannot attend City Council on June 7, and I oppose rezoning of the Travis Country property

George D. Cozart
Printed Name

[Signature]
Signature

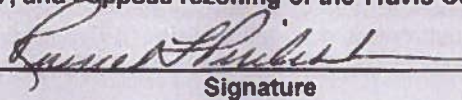
☒ I cannot attend City Council on June 7, and I oppose rezoning of the Travis Country property

Tim Altanero
Printed Name


Signature

☒ I cannot attend City Council on June 7, and I oppose rezoning of the Travis Country property

Russell Pinkston
Printed Name


Signature

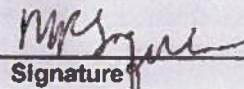
☒ I cannot attend City Council on June 7, and I oppose rezoning of the Travis Country property

Catherine Waggoner
Printed Name


Signature

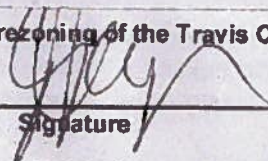
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MARTIN SORIBES
Printed Name


Signature

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Guadalupe Melendez
Printed Name


Signature

<http://tinyurl.com/PrairieVideo>

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Michèle C Santos

Printed Name

Michèle C Santos

Signature

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ALDA C. Lomas

Printed Name

ALDA C. Lomas

Signature

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FRANK LOMAS

Printed Name

FRANK LOMAS

Signature

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BLAIR DALGLEISH

Printed Name

Blair Dalgleish

Signature

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DIANE KEUER

Printed Name

Diane Keuer

Signature

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Roger Gatewood
Printed Name

R. C. Gatewood
Signature

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JAMES DAVID MARLATT
Printed Name 5100 SPLIT CEDAR CV,

James David Marlatt
Signature

☒ I cannot attend City Council on June 7, and I oppose rezoning of the Travis Country property

C. Ben Ostrander
Printed Name

C. Ben Ostrander
Signature

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Blair Daleleish
Printed Name

Blair Daleleish
Signature

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Warren Talica
Printed Name

Warren Talica
Signature

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Jayce Riffle
Printed Name

Jayce Riffle
Signature

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John L. Hall
Printed Name

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Signature

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Peggy K. Hall
Printed Name

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Signature

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BARRY McNAIR
Printed Name

BARRY McNAIR
Signature

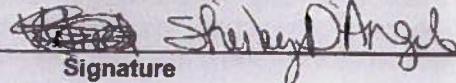
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Andrea McNair
Printed Name

Andrea McNair
Signature

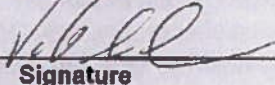
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Shirley D'Angelo
Printed Name


Signature

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Vito D'Angelo
Printed Name


Signature

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PATRICK A SMITH
Printed Name


Signature

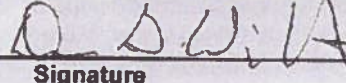
☒ I cannot attend City Council on June 7, and I oppose rezoning of the Travis Country property

Karen Wright
Printed Name


Signature

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Dean Wright
Printed Name


Signature

Attend the City Council hearing Thursday, June 7 at 2:00 p.m. at City Hall and a large crowd.
You do not need to sign up to speak, but it is very important to have a large crowd in
attendance. If you can't attend, please sign this form.

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Richard Beyer
Printed Name

Richard Beyer
Signature

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Cynthia L. Y. Simar
Printed Name

Cynthia L. Y. Simar
Signature

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PAUL SIMAR
Printed Name

Paul Simar
Signature

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Kim Benard
Printed Name

Kim Benard
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Cathy Wellman
Printed Name

Cathy Wellman
Signature

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Sean McWhirter
Printed Name

Sean McWhirter
Signature

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Diana Jenschke
Printed Name

Diana Jenschke
Signature

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JAY H DORAN
Printed Name

Jay H Doran
Signature

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Jodi Doran
Printed Name

Jodi Doran
Signature

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Janis Montgomery
Printed Name

Janis Montgomery
Signature

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Carrie Bryan

Printed Name

Carrie Bryan

Signature

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John Todor

Printed Name

John Todor

Signature

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Katherine Dorsett

Printed Name

Katherine Dorsett

Signature

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Thomas Dorsett

Printed Name

Thomas Dorsett

Signature

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Jeff J. Hastings

Printed Name

Jeff J. Hastings

Signature

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Kimber Lee Hastings
Printed Name

Kimber Lee Hastings
Signature

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SACHA PETERSEN
Printed Name

Sacha Petersen
Signature

☒ I cannot attend City Council on June 7, and I oppose rezoning of the Travis Country property

Denise Miller
Printed Name

Denise Miller
Signature

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Chris Miller
Printed Name

Chris Miller
Signature

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Griselda B. Colvin
Printed Name

Griselda B. Colvin
Signature

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Allison Cauterfield
Printed Name

Allison Cauterfield
Signature

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Michael Chayncey Day
Printed Name

Michael Chayncey Day
Signature

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Craig T. Crutcherfield
Printed Name

Craig T. Crutcherfield
Signature

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Erin Matway
Printed Name

Erin Matway
Signature

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James Irensee
Printed Name

James Irensee
Signature

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SONIA BERRY

Printed Name

Signature

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Bryan Donaldson

Printed Name

Signature

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ANDREW SIGLER

Printed Name

Signature

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Doreen Moore

Printed Name

Signature

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Cynthia Pipkin

Printed Name

Signature

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Lisa Sigler
Printed Name

Lisa Sigler
Signature

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HEATHER MAPES
Printed Name 4709 Fieldstone Dr.

Heather Mapes
Signature

☒ I cannot attend City Council on June 7, and I oppose rezoning of the Travis Country property

Amadora Comer
Printed Name

Amadora Comer
Signature

☒ I cannot attend City Council on June 7, and I oppose rezoning of the Travis Country property

Philip Comer
Printed Name

Philip Comer
Signature

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DEVON Calvin
Printed Name 4802 FIELDSTONE DR.

Devon Calvin
Signature

☒ I cannot attend City Council on June 7, and I oppose rezoning of the Travis Country property

TAMERA DAVIS
Printed Name

Tamera Davis
Signature

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Patrick Davis
Printed Name

Patrick Davis
Signature

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Samuel T. Milhew
Printed Name

Samuel T. Milhew
Signature

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Jolynn Smith
Printed Name

Jolynn Smith
Signature

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Stana Evans
Printed Name

Stana Evans
Signature

☒ I cannot attend City Council on June 7, and I oppose rezoning of the Travis Country property

Susan T. Scott
Printed Name

Robert M. Scott S.T. Scott
Signature

AMH

☒ I cannot attend City Council on June 7, and I oppose rezoning of the Travis Country property

Nancy Jewell
Printed Name

Nancy Jewell
Signature

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Bryant Jewell
Printed Name

Bryant Jewell
Signature

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Rick Burnight
Printed Name

Rick Burnight
Signature

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Deena Perkins
Printed Name

Deena Perkins
Signature

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P. CARDIEL
Printed Name

R. Cardiel
Signature

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LINDA BELL
Printed Name

Linda Bell
Signature

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Thomas Clarkson
Printed Name

Thomas Clarkson
Signature

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TS BAZZAM
Printed Name

TS Bazzam
Signature

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Patricia Leeman
Printed Name

Patricia Leeman
Signature

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RANDALL R McHERRAN

Printed Name

Randy McHerran

Signature

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Jennifer Rae

Printed Name

Jennifer Rae

Signature

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Dana Winslette

Printed Name

Dana Winslette

Signature

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Stacy Jones

Printed Name

Stacy Jones

Signature

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Amy Doherty

Printed Name

Amy Doherty

Signature

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Printed Name

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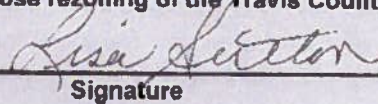
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RONALD EARL BUYS
Printed Name


Signature

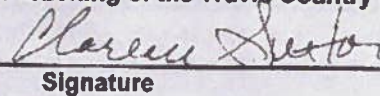
☒ I cannot attend City Council on June 7, and I oppose rezoning of the Travis Country property

Lisa Sutton
Printed Name


Signature

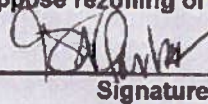
☒ I cannot attend City Council on June 7, and I oppose rezoning of the Travis Country property

Clarence Sutton
Printed Name


Signature

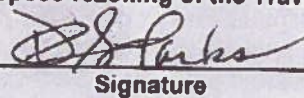
☒ I cannot attend City Council on June 7, and I oppose rezoning of the Travis Country property

George Parks
Printed Name


Signature

☒ I cannot attend City Council on June 7, and I oppose rezoning of the Travis Country property

DONNA PARKS
Printed Name


Signature

☒ I cannot attend City Council on June 7, and I oppose rezoning of the Travis Country property

Marvin L. Baird
Printed Name

Marvin L. Baird
Signature

☒ I cannot attend City Council on June 7, and I oppose rezoning of the Travis Country property

Patricia Ilgenstein
Printed Name

Patricia Ilgenstein
Signature

☒ I cannot attend City Council on June 7, and I oppose rezoning of the Travis Country property

Don Bond
Printed Name

Don Bond
Signature

☒ I cannot attend City Council on June 7, and I oppose rezoning of the Travis Country property

Warren Trlica
Printed Name

Warren Trlica
Signature

<http://tinyurl.com/PrairieVideo>

From Travis Country HOA Board President Anthony Peterman:

Email dated June 26, 2012

Dear Mayor and Members of City Council,

I am contacting you as President of the Board of the Travis Country home owner's association (TCCSA) regarding the above zoning matter that will be on the agenda for your June 28 Council meeting. Thank you again for your service to Austin and your time and attention to this matter. It is an emotional and by its nature polarizing issue for our Travis Country community. To the extent any of you or your staff is available, I would be happy to talk with you. Please contact me via email.

I want to address two things in this email. **First**, I want to communicate the position of the TCCSA Board in motions approved unanimously at our June 21 Board meeting last week, with one Board member absent. We ask that you consider this and vote at your June 28 meeting consistent with these TCCSA motions:

(a) Motion: In connection with the proposed re-zoning of the AISD property requested by Independent Realty, the TCCSA Board of Directors is opposed to any zoning change.

(b) Motion: The TCCSA Board of Directors supports the City of Austin City Council allowing the use of transfer of impervious cover for any future bid on the AISD tract.

Second, I want to clarify four issues and eliminate uncertainty there may be about them:

(a) There has been ongoing communication between the TCCSA Board and the developer Independent Realty (IR):

- There have been months of communication (brief timeline below). To the extent there is a disconnect, it is the content of information.
- The disconnect with content is exemplified by looking to the example of the #1 request for information by the TCCSA Board.
- Request #1 was for: "A conceptual lot layout (number, size and location of lots, WQ/detention facilities, and open space)." For reference, the whole requested list #1-7 is below in my June 4 email to you.
- It was and is the TCCSA Board's view that a lot layout is foundational to a full understanding of IR's proposed development project. TCCSA Board needs to see specifics as opposed to ideas and aspirations that could change.
- IR's response was and remains that it will not provide a lot layout -- none will be available until after zoning is completed and development underway.
- At the June 7 Council meeting, the TCCSA Board was completely surprised to see the "helipad" zoning format for the first time.
- Although the new format had been shared and revised for weeks with City staff, the TCCSA Board had not seen it until Council meeting.
- After the meeting, the TCCSA Board repeated its request for a lot layout. The "helipad" surprise underscored the need for specifics.
- IR repeated that a lot layout would not be available and provided only a copy of the "helipad" zoning format from the Council meeting.

- The content of information has remained the same since then.

- Brief Timeline:

- January 29 -- presentation by IR to the TCCSA Board and community as part of the agenda of the January Board meeting.
- February 29 -- Board approved and organized community meeting with IR at the Travis Country community pavilion.
- March 6, 12, 13 -- Board requested #1-7 information needed for full consideration, and IR responded with some information and made clear the rest would remain unanswered until after zoning.
- April 11 -- Travis Country annual home owner's meeting with open forum for comments -- opportunity for this topic during comments, but no mention of it was made.
- May, June -- Email communications among the TCCSA Board and IR about the requests. As of June 6, Board still requesting information, and IR still answering some and leaving others unanswered.
- June 7 -- Issue on City Council agenda. First time TCCSA Board has seen the very different "helipad" zoning format from IR.
- June 7 to date -- Board repeats request and IR repeats response, except for forwarding the new "helipad" zoning request.
- June 21 -- Board votes on and approves above motions at June Board meeting based on available information.

(b) The TCCSA Board is allowed to spend money to purchase land or rights in land based on an approved Board motion:

- TCCSA purchased 10 acres at the front of the community a number of years ago for about \$145,000 in community funds based on an approved Board motion.
- TCCSA purchase about 3 acres in a transaction that closed April 19, 2012, for about \$7600 based on an approved Board motion.
- TCCSA has received confirmation from its outside legal counsel that purchasing land and rights in land like a conservation easement based on an approved Board motion is within the Board's authority.
- The TCCSA Board voted last Fall to spend up to \$145,000 to support a Native Prairies (NPAT) bid to purchase a conservation easement on the AISD land at issue. That bid was submitted in November 2011 and was not selected by AISD.
- The NPAT bid provided value to AISD in the form of: (a) about \$240,000 cash, and (b) retained value for TDR's (assuming Council action to allow that). The second part we estimated at \$1.3 million of value based on comparison to AISD's actual land cost of \$230,000 in 2007 buying rights needed to expand Kiker elementary. To make it more concrete, we had outside counsel prepare and provided to AISD a draft amendment to the land development standards agreement.

(c) TCCSA could fund \$145,000 without impacting the community's financial stability:

- The TCCSA Board received a Treasurer's report as a standard agenda item at last week's June 21 meeting.
- TCCSA currently has over \$700,000 cash in bank and money market accounts. After fully paying for a recent pool renovation/repair, TCCSA will still have more than \$650,000.
- TCCSA's income from home owner's dues exceeds its operating budget by about \$100,000 per year. That excess is reserved and allocated to capital items like facilities and land.
- If TCCSA were to immediately fund \$145,000 to purchase a conservation easement, it would still have more than \$500,000 in cash.
- TCCSA has a formal reserve study that outlines expected capital costs and reserve levels needed for the community. That study is used to inform our decisions as to reserves and capital spending.
- A current reserve of \$500,000 together with income \$100,000 greater than operating budget would still place TCCSA in a more than acceptable position with regard to its reserve study.

- For example, even if TCCSA were to need to spend \$250,000 on a facility like its Blue Valley pool, that amount could be paid and replenished in two and a half years or the project delayed and paid in full after that same time.

(c) The TCCSA community balance of opinion is weighted towards opposing any zoning change:

- The TCCSA Board has received many communications over the months of this issue dating back a couple of years.
- The community is divided with some having very strong opinions on both sides of the issue.
- Based on communications received, that the balance of opinion is weighted towards opposing any zoning change and towards preservation. It is very heavily weighted that way among the residents living closest to the AISD land.

Regards,

Anthony Peterman
Board President
Travis Country Community Service Association

From: Anthony Peterman [mailto:anthony_peterman@att.net]

Sent: Monday, June 04, 2012 11:42 AM

To: 'Lee.Leffingwell@austintexas.gov'; 'Sheryl.Cole@austintexas.gov'; 'Bill.Spelman@austintexas.gov'; 'Mike.Martinez@austintexas.gov'; 'Chris.Riley@austintexas.gov'; 'Kathie.Tovo@austintexas.gov'; 'Laura.Morrison@austintexas.gov'

Cc: 'Bill Sigler'; 'TCCSA Board'; 'tclp@

Subject: Opposed to Proposed Zoning Change to the AISD Property in Travis Country

Dear Mayor and Members of City Council,

First, I want to thank you for your service to Austin and for the complex and difficult work you do on Council.

Second, I am the current President of the board of the Travis Country home owner's association, and I wanted briefly to clarify the situation around the AISD land in the center of Travis Country for which a rezoning vote is coming before Council.

The Travis Country community has been and remains very interested in the process and the future of the AISD land. During the AISD bid process, the community did not oppose from the sidelines, but instead joined a bid with the Native Prairies Association of Texas ("NPAT") with significant funds pledged and matching funds approved by the board of the Travis Country. That bid totaled almost \$250,000. However, it was not accepted by AISD at least partly due to the bid involving the idea of retaining value for AISD in the form of future development offsets -- such use, although consistent with precedent, first needs Council action to be allowed. Although it was not selected, the bid shows a level of commitment in the Travis Country community to participate in a thoughtful alternative to development.

With regard to the selected bid from Independent Realty, the Travis Country board in March requested detailed information (outlined below) from the potential developer in order to be

fully informed. Having not received that information, our board voted to defer any action or consideration on the zoning request and any related zoning conditional overlays or private agreements. The Travis Country board also voted to submit a petition stating that it was thus opposed to the requested re-zoning application. The situation has remained in that state since.

For reference, the information requested:

1. A conceptual lot layout (number, size and location of lots, WQ/detention facilities, and open space);
2. Topographic and tree surveys;
3. Environmental assessments and/ or engineering reports (we understand there may be Water Quality Transition Zones and Critical Environmental Features that impair development);
4. Impervious cover calculations for both water quality and zoning (including net site area, assumptions for each lot, and impervious cover for adjacent roadways);
5. The proposed height and size of the homes, impervious cover on each lot, and setbacks on each lot;
6. The terms of any proposed use of TCCSA community facilities;
7. Reasonably demonstrate ability to comply with applicable City of Austin regulations.

Regards,

Anthony Peterman
Board President
Travis Country Community Service Association
